IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.279 OF 2006
IN
FIRST APPEAL NO.1108 OF 2004

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.Narayan Sahu i/b Mr.Sunil C.Sharma for the applicant.

Smt.M.R.Behere for respondent no.1.

CORAM: SMT.RANJANA DESAI &
D.B.BHOSALE, JJ.

DATED: 20TH JANUARY, 2006.

P.C.:

. Heard learned counsel for the parties.

2. Learned counsel for respondent no.1 - The New India Insurance Company Ltd. states that the company has deposited entire decretal amount in the trial Court. The case of the applicant is that he has to undergo some surgery which also appears to be necessiated on account of accident. The learned counsel, therefore, states that the applicant may be permitted to withdraw 50% of the amount deposited in the trial

Court. In the circumstances the applicant should be allowed to withdraw 50% of the amount deposited in the trial Court and rest of the amount will have to be directed to be invested in the Nationalised Bank on usual terms. Hence the order:

. The applicant is permitted to withdraw 50% of amount deposited in the trial Court without security. The trial Court is directed to invest rest of the amount in Nationalised bank on usual terms. Civil application is disposed of.

(D.B.Bhosale,J.) (Smt.Ranjana Desai,J.)